

Documents on Diplomacy: The Source

An Act Separate and Secret Between the United States and France February 6, 1778

The most Christian King declares in consequence of the intimate union which subsists between him and the King of Spain, that in concluding with the United States of America this Treaty of Amity and Commerce, and that of eventual and defensive alliance, his Majesty hath intended and intends to reserve expressly, as he reserves by this present separate and secret act, to his said Catholick Majesty, the Power of acceding to the said Treatys, and to participate in their stipulations at such time as he shall judge proper. It being well understood nevertheless, that if any of the Stipulations of the said Treatys are not agreeable to the King of Spain, his Catholick Majesty may propose other conditions analogous to the principal aim of the alliance and conformable to the Rules of equality, reciprocity & friendship.

The Deputies of the United States in the name of their constituents, accept the present Declaration in its full extent and the Deputy of the said states who is fully impower'd to treat with Spain, promises to sign on the first Requisition of his Catholic Majesty, the act or acts necessary to communicate to him the Stipulations of the Treaties above written; and the said Deputy shall endeavour in good faith the adjustment of the points in which the King of Spain may propose any alteration, conformable to the principles of equality, reciprocity and the most sincere and perfect amity; he the

said Deputy not doubting but that the Person or Persons impower'd by his Catholic Majesty to treat with the United States will do the same with regard to any Alterations of the same kind that may be thought necessary by the said Plenipotentiary of the United States. In Faith whereof the respective Plenipotentiaries have signed the present separate and secret Article, and affixed to the same their Seals.

Done at Paris, this sixth Day of February, one thousand seven hundred and seventy-eight.

C. A. GERARD
B FRANKLIN
SILAS DEANE
ARTHUR LEE

Source

Treaties and Other International Acts of the United States of America,
Edited by Hunter Miller, Volume 2, Documents 1-40 : 1776-1818,
Washington : Government Printing Office, 1931.

The Avalon Project: Documents in Law, History, and Diplomacy, Yale
Law School, Lillian-Goldman Law Library

http://avalon.law.yale.edu/18th_century/fr1788-3.asp